

REMARKS

In the Official Action mailed on **9 April 2008**, the Examiner reviewed claims 1-22. Examiner rejected claims 1-22 under 35 U.S.C. § 103(a) based on Lortscher et al. (U.S. Pub. No. 2002/0111816, hereinafter “Lortscher”).

Rejections under 35 U.S.C. § 102(e)

Independent claims 1, 17, and 20 were rejected under 35 U.S.C. § 102(e) as being anticipated by Lortscher. Applicant respectfully disagrees. Specifically, Lortscher discloses that each user who provides information also defines their preferences as to how their information is shared with third parties **based on preferences set by each user** (see Lortscher, paragraph [0021], FIG. 4, step 60, and FIG. 6, step 160).

In contrast, Applicant respectfully points out that in embodiments of the present invention, the terms and conditions of the license may identify one or more groups of companies to which **the information may be sublicensed without obtaining the consumer’s consent** (see page 19, lines 5-8 of the specification). Applicant respectfully points out that this negative limitation is explicitly recited in the specification.

There is nothing in Lortscher which suggests the limitations described above – in fact, the system of Lortscher requires that access to the consumer information be explicitly based on user preferences (see Lortscher, paragraph [0021], Fig 4, step 60, and FIG. 6, step 160). Accordingly, Applicant has amended independent claims 1, 17, and 20 to include the limitations listed above. Claims 5, 18, and 21 have been canceled without prejudice. No new matter has been added

Hence, Applicant respectfully submits that independent claims 1, 17, and 20 as presently amended are in condition for allowance. Applicant also submits that claims 2-4 and 6-16, which depend upon claim 1, claim 19, which depends upon claim 17, and claim 22, which depends upon claim 20, are for the same reasons in condition for allowance and for reasons of the unique combinations recited in such claims.

CONCLUSION

It is submitted that the application is presently in form for allowance.
Such action is respectfully requested.

Respectfully submitted,

By /Shun Yao/
Shun Yao
Registration No. 59,242

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Shun Yao
Park, Vaughan & Fleming LLP
2820 Fifth Street
Davis, CA 95618-7759
Tel: (530) 759-1667
Fax: (530) 759-1665
Email: shun@parklegal.com